

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA

v.

ANDREW TIMOTHY JONES

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Case No. 3:03-cr-55-FDW

ORDER

UPON MOTION of Defendant Andrew Timothy Jones (Document 154) for a reduction in sentence pursuant to 18 U.S.C. § 3582(c)(1)(A), and after considering the Response in Opposition by the United States of America (document 156), the factors set forth in 18 U.S.C. § 3553(a), the policy statements issued by the Sentencing Commission, and the law applicable to Motion for a sentence reduction under 18 U.S.C. § 924(c), the Court hereby DENIES THE MOTION for the reasons set forth below.

First, as the United States argues (Doc. No. 156), it is unclear whether Defendant's medical issues are based on voluntary drug use or a seizure disorder. *See* Document 156-1.

Second, in any event, the Court has reviewed the PSR and the entire record and finds that Defendant Jones has a serious, violent criminal history -- since his youth and into his current incarceration -- thus discretion does not favor his release.

Finally, as to Defendant's underlying conviction for 18 U.S.C § 924(c), neither the First Step Act nor 18 U.S.C. § 3582(c)(1)(A) allow his sentence to be reduced retroactively.

In light of the foregoing, the Motion is DENIED.

A handwritten signature in black ink, appearing to read "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
Chief United States District Judge



Signed: April 18, 2020